

Union Calendar No. 472103^D CONGRESS
2^D SESSION**H. R. 3297****[Report No. 103-855]**

To amend title 5, United States Code, to extend the treatment currently afforded to Federal judges under the Federal Employees Group Life Insurance Program to certain other judicial officials.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 15, 1993

Mrs. MORELLA introduced the following bill; which was referred to the Committee on Post Office and Civil Service

OCTOBER 7, 1994

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on October 15, 1993]

A BILL

To amend title 5, United States Code, to extend the treatment currently afforded to Federal judges under the Federal Employees Group Life Insurance Program to certain other judicial officials.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXTENSION OF TREATMENT TO OTHER JUDI-**
2 **CIAL OFFICIALS.**

3 (a) *DEFINITIONS.*—Section 8701(a) of title 5, United
4 States Code, is amended—

5 (1) in paragraph (9) by striking “and” after the
6 semicolon; and

7 (2) by inserting after paragraph (10) and before
8 “but does not include” the following:

9 “(11) a judicial official within the meaning of—

10 “(A) section 376(a)(1)(B) of title 28 who,
11 after attaining age 65 or on the basis of disabil-
12 ity, retires from regular active service under sec-
13 tion 373 of such title;

14 “(B) section 376(a)(1)(C) of title 28 who,
15 after attaining age 65 or on the basis of disabil-
16 ity, retires from regular active service under sec-
17 tion 611 of such title;

18 “(C) section 376(a)(1)(D) of title 28 who,
19 after attaining age 65 or on the basis of disabil-
20 ity, retires from regular active service under sec-
21 tion 627 of such title;

22 “(D) section 376(a)(1)(E) of title 28 who,
23 after attaining age 65 or on the basis of disabil-
24 ity, retires from regular active service under sec-
25 tions 611 and 677 of such title;

1 “(E) section 376(a)(1)(F) of title 28 who,
2 after attaining age 65 or on the basis of disabil-
3 ity, retires from regular active service under
4 chapter 83 or 84 of this title, section 377 of title
5 28, or section 2(c) of the Retirement and Survi-
6 vors’ Annuities for Bankruptcy Judges and Mag-
7 istrates Act of 1988; or

8 “(F) section 376(a)(1)(G) of title 28 who,
9 after attaining age 65 or on the basis of disabil-
10 ity, retires from regular active service under sec-
11 tion 178 of such title; and

12 “(12) a judge of the United States Tax Court ap-
13 pointed under section 7443(b) of the Internal Revenue
14 Code of 1986 who is retired from regular active serv-
15 ice under section 7447 thereof;”.

16 (b) PROVISIONS RELATING TO TERMINATION.—

17 (1) BASIC COVERAGE AND OPTION B.—The sec-
18 ond sentence of section 8706(a) of title 5, United
19 States Code, and the second sentence of section
20 8714b(c)(1) of such title, are each amended by insert-
21 ing “; and any employee as defined in section
22 8701(a) (11) or (12),” before “are deemed”.

23 (2) OPTIONS A AND C.—Sections 8714a(c)(1) and
24 8714c(c)(1) of title 5, United States Code, are each
25 amended by adding at the end the following: “Justices

1 *and judges of the United States described in section*
2 *8701(a)(5) (ii) and (iii) of this chapter, and any em-*
3 *ployee as defined in section 8701(a) (11) or (12), are*
4 *deemed to continue in active employment for purposes*
5 *of this chapter.”.*

6 (c) *TECHNICAL AMENDMENTS.—Section 8714a(c)(3) of*
7 *title 5, United States Code, and the third sentence of section*
8 *8714b(c)(1) of such title, are repealed.*

9 (d) *APPLICABILITY.—*

10 (1) *IN GENERAL.—*

11 (A) *FUTURE RETIREMENTS.—Except as*
12 *provided in subparagraph (B) and paragraph*
13 *(2), nothing in this section or in any amend-*
14 *ment made by this section shall be considered to*
15 *affect the treatment under chapter 87 of title 5,*
16 *United States Code, of any individual whose*
17 *date of retirement (as described in any provision*
18 *of the amendment made by subsection (a)(2))*
19 *precedes the date of the enactment of this Act.*

20 (B) *LIMITED EXCEPTION.—*

21 (i) *APPLICABILITY.—This subpara-*
22 *graph shall apply to any individual—*

23 (I) *who retired (under any provi-*
24 *sion of law cited in the amendment*
25 *made by subsection (a)(2)) after July*

1 31, 1987, and before the date of the en-
2 actment of this Act;

3 (II) who would have been eligible
4 to have continued being treated (after
5 retiring) as an employee under chapter
6 87 of title 5, United States Code, had
7 the amendments made by this section
8 been in effect at the time of such indi-
9 vidual's retirement; and

10 (III) who has remained continu-
11 ously covered under chapter 87 of title
12 5, United States Code, since retiring.

13 (ii) *ELECTION*.—Any individual de-
14 scribed in clause (i) may, upon appropriate
15 written application submitted within 12
16 months after the effective date of the regula-
17 tions under clause (iv), elect, for purposes of
18 chapter 87 of title 5, United States Code, to
19 be treated as if the amendments made this
20 section had been in effect at the time of such
21 individual's retirement.

22 (iii) *PROSPECTIVE EFFECT*.—Nothing
23 in this subparagraph shall be considered to
24 permit or require any change in coverage or
25 any collection or repayment of contributions

1 with respect to any period before the elec-
2 tion is made.

3 (iv) *REGULATIONS.*—The Office of Per-
4 sonnel Management shall prescribe such reg-
5 ulations as may be necessary to carry out
6 this subparagraph.

7 (2) *RULE RELATING TO CERTAIN TECHNICAL*
8 *AMENDMENTS.*—The provisions added by subsection
9 (b)(2) shall (A) to the extent that they relate to jus-
10 tices and judges of the United States described in sec-
11 tion 8701(a)(5) (ii) and (iii) of title 5, United States
12 Code, and (B) with respect to the period after Decem-
13 ber 31, 1986, and before the date of the enactment of
14 this Act, be given the same effect as would have been
15 given to the corresponding prior provisions of title 5,
16 United States Code (as inserted pursuant to amend-
17 ments made by section 7(1) of Public Law 99-336),
18 had those prior provisions not been superseded by
19 amendments taking effect under Public Law 99-335.

20 **SEC. 2. ASSIGNMENT AUTHORITY.**

21 Section 8706(e) of title 5, United States Code, is
22 amended—

23 (1) by striking “Federal judge” and inserting
24 “employee or former employee”;

1 (2) by striking “judge’s” and inserting “employ-
2 ee’s or former employee’s”; and

3 (3) by striking “purchase” and inserting “pur-
4 chased”.

Amend the title so as to read: “A bill to amend title 5, United States Code, to extend the treatment currently afforded to Federal judges under the Federal Employees Group Life Insurance Program to certain other judicial officials, and for other purposes.”.

Union Calendar No. 472

103D CONGRESS
2D SESSION

H. R. 3297

[Report No. 103-8551]

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